

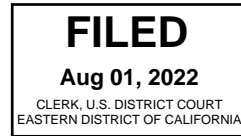
IVAN D. GALVAN, G56074
Name and Prisoner/Booking Number

California State Prison - SOLANO
Place of Confinement

2100 Peabody Road, C-116-155-Low
Mailing Address

VACAVILLE, California 95696
City, State, Zip Code
IN PRO SE

(Failure to notify the Court of your change of address may result in dismissal of this action.)



IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IVAN DEJESUSVALTE GALVAN
(Full Name of Plaintiff) Plaintiff,

v.

(1) V. MILASICH, et al.,
(Full Name of Defendant)

(2) _____

(3) _____

(4) _____

Defendant(s).

☐ Check if there are additional Defendants and attach page I-A listing them.

CASE NO. 2:22-cv-1359-DMC (PC)

(To be supplied by the Clerk)

JURY TRIAL DEMANDED

CIVIL RIGHTS COMPLAINT
BY A PRISONER

☒ Original Complaint

☐ First Amended Complaint

☐ Second Amended Complaint

A. JURISDICTION

1. This Court has jurisdiction over this action pursuant to:

☒ 28 U.S.C. § 1343(a); 42 U.S.C. § 1983

☐ 28 U.S.C. § 1331; Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971).

☐ Other: _____

2. Institution/city where violation occurred: Pleasant Valley State Prison

B. DEFENDANTS

1. Name of first Defendant: V. MILASICH, et al.. The first Defendant is employed as:
Food TRUCK delivery person at Pleasant Valley State Prison
(Position and Title) (Institution)
2. Name of second Defendant: _____. The second Defendant is employed as:
_____ at _____
(Position and Title) (Institution)
3. Name of third Defendant: _____. The third Defendant is employed as:
_____ at _____
(Position and Title) (Institution)
4. Name of fourth Defendant: _____. The fourth Defendant is employed as:
_____ at _____
(Position and Title) (Institution)

If you name more than four Defendants, answer the questions listed above for each additional Defendant on a separate page.

C. PREVIOUS LAWSUITS

1. Have you filed any other lawsuits while you were a prisoner? ☐ Yes ☒ No
2. If yes, how many lawsuits have you filed? _____. Describe the previous lawsuits:
 - a. First prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - b. Second prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____
 - c. Third prior lawsuit:
 1. Parties: _____ v. _____
 2. Court and case number: _____
 3. Result: (Was the case dismissed? Was it appealed? Is it still pending?) _____

If you filed more than three lawsuits, answer the questions listed above for each additional lawsuit on a separate page.

D. CAUSE OF ACTION

CLAIM I

1. State the constitutional or other federal civil right that was violated: EIGHTH (8th) Amendment
United States Constitution; Cruel and unusual Punishment
2. Claim I. Identify the issue involved. Check only one. State additional issues in separate claims.
- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Basic necessities | <input type="checkbox"/> Mail | <input type="checkbox"/> Access to the court | <input type="checkbox"/> Medical care |
| <input type="checkbox"/> Disciplinary proceedings | <input type="checkbox"/> Property | <input type="checkbox"/> Exercise of religion | <input type="checkbox"/> Retaliation |
| <input type="checkbox"/> Excessive force by an officer | <input checked="" type="checkbox"/> Threat to safety | <input type="checkbox"/> Other: _____ | |
3. Supporting Facts. State as briefly as possible the FACTS supporting Claim I. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.
- That, on August 21, 2020 While working on the back dock of Facility C, I was receiving the food carts from the food truck when a cart full of food struck me in the head. As I was waiting for the food carts to be lowered and removed from the food truck. V. Milasich, Heavy Truck driver, engaged the button that tilted the ramp on the truck forward instead of lowering it. This action caused the food carts full of food to roll forward as the safety block stopping mechanism was not engaged by V. Milasich the defendant in this action. His reckless endangerment was the cause of this Plaintiff's physical injury, a serious scalp laceration on my forehead and scalp which required 6 sutures and 1-staple to close the L-shaped laceration. The injury suffered by this Plaintiff was with gross negligence on the defendant's part in furtherance, Plaintiff further suffered Headaches and dizziness. (see ex-15). The In-Prison-conditions cases that state of mind is one of 'deliberate indifference' to inmate Health or Safety.
4. Injury. State how you were injured by the actions or inactions of the Defendant(s).
- V. milasich, defendant et al, engaged the button that tilted the ramp on the food truck which caused the food cart to fall on top of my head, a gross and reckless maneuver on his part which caused my physical injury.
5. Administrative Remedies:
- Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution? ☒ Yes ☐ No
 - Did you submit a request for administrative relief on Claim I? ☒ Yes ☐ No
 - Did you appeal your request for relief on Claim I to the highest level? ☒ Yes ☐ No
 - If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not. _____

CLAIM III

1. State the constitutional or other federal civil right that was violated:
2. Claim III. Identify the issue involved. Check only one. State additional issues in separate claims.

<input type="checkbox"/> Basic necessities	<input type="checkbox"/> Mail	<input type="checkbox"/> Access to the court	<input type="checkbox"/> Medical care
<input type="checkbox"/> Disciplinary proceedings	<input type="checkbox"/> Property	<input type="checkbox"/> Exercise of religion	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Excessive force by an officer	<input type="checkbox"/> Threat to safety	<input type="checkbox"/> Other:	
3. Supporting Facts. State as briefly as possible the FACTS supporting Claim III. Describe exactly what each Defendant did or did not do that violated your rights. State the facts clearly in your own words without citing legal authority or arguments.
4. Injury. State how you were injured by the actions or inactions of the Defendant(s).
5. Administrative Remedies.

 - Are there any administrative remedies (grievance procedures or administrative appeals) available at your institution?
☐ Yes ☐ No
 - Did you submit a request for administrative relief on Claim III?
☐ Yes ☐ No
 - Did you appeal your request for relief on Claim III to the highest level?
☐ Yes ☐ No
 - If you did not submit or appeal a request for administrative relief at any level, briefly explain why you did not.

If you assert more than three Claims, answer the questions listed above for each additional Claim on a separate page.

E. REQUEST FOR RELIEF

State the relief you are seeking:

1. Plaintiff is seeking \$3.5 million dollars in Monetary relief
2. Plaintiff is also seeking a \$1,000,000 (million) dollar lien against
V. MILASICH Residential Property, Real Property "i.e. House, cars, Boats,
motorcycles, Airplanes, helicopters etc., and against defendant's personal
checking account, saving's accounts until the lawsuit is finalized
and/or settled. Which ever comes first. 3. finally, Plaintiff is
requesting appointment of counsel

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 8-1-2022
DATE

IVAN GALVAN
SIGNATURE OF PLAINTIFF
IVAN D. GALVAN,
IN PRO SE.

(Name and title of paralegal, legal assistant, or
other person who helped prepare this complaint)

(Signature of attorney, if any)

(Attorney's address & telephone number)

ADDITIONAL PAGES

All questions must be answered concisely in the proper space on the form. If you need more space you may attach more pages, but you are strongly encouraged to limit your complaint to twenty-five pages. If you attach additional pages, be sure to identify which section of the complaint is being continued and number all pages. Remember, there is no need to attach exhibits to your complaint.